

## UNITED STATES DISTRICT COURT

## DISTRICT OF UTAH

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VINCENT MASSA and KATHRYN MASSA, individually and as natural parents and heirs of DOMINIC MASSA, deceased,  Plaintiffs,  v.  UNITED STATES OF AMERICA; <i>et al.</i> ,  Defendants.	<b>AMENDED SCHEDULING ORDER</b>  Case No. 2:21-cv-00187-JCB  Judge Jared C. Bennett
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Pursuant to Fed. R. Civ. P. 16(b), the following matters are scheduled. The times and deadlines set forth herein may not be modified without the approval of the court and on a showing of good cause pursuant to Fed. R. Civ. P. 6.

**\*\*ALL TIMES 12:00 AM UNLESS INDICATED\*\***

1. PRELIMINARY MATTERS	DATE
Nature of claims and any affirmative defenses:	
a. Date the Rule 26(f)(1) conference was held?	07/22/2021
b. Have the parties submitted the Attorney Planning Meeting Report?	07/26/2021
c. Deadline for 26(a)(1) initial disclosures?	08/05/2021
2. DISCOVERY LIMITATIONS	NUMBER
a. Maximum number of depositions by Plaintiff(s):	10
b. Maximum number of depositions by Defendant(s):	15
c. Maximum number of hours for each deposition (unless extended by agreement of parties):	7
d. Maximum interrogatories by any party to any party:	25

e.	Maximum requests for admissions by any party to any party:	25
f.	Maximum requests for production by any party to any party:	25
g.	The parties shall handle discovery of electronically stored information as follows: The parties stipulate that electronically stored information will be produced initially in .PDF or .TIFF format, except for any photographs or videos. Photographs will be produced in .PDF format, unless a better-quality image is requested, in which case such photograph will be produced in .JPEG format. Videos will be produced in native format. Additionally, the parties stipulate that, upon a request by a party, documents or information previously produced in .PDF format will be produced in native format. Should the party to whom the request is directed object, the parties agree to meet and confer in good faith to resolve the dispute.	
h.	The parties shall handle a claim of privilege or protection as trial preparation material asserted after production as follows: The parties will follow the procedures outlined in Fed. R. Civ. P. 26(b)(5)(B) and Fed. R. Evid. 502.	
i.	Last day to serve written discovery:	02/21/2022
j.	Close of fact discovery:	06/27/2022
k.	(optional) Final date for supplementation of disclosures and discovery under Rule 26(e):	02/21/2022
<b>3.</b>	<b>AMENDMENT OF PLEADINGS/ADDING PARTIES<sup>1</sup></b>	<b>DATE</b>
a.	Last day to file Motion to Amend Pleadings:	02/21/2022
b.	Last day to file Motion to Add Parties:	02/21/2022
<b>4.</b>	<b>RULE 26(a)(2) EXPERT DISCLOSURES &amp; REPORTS</b>	<b>DATE</b>
<b>Disclosures (subject and identity of experts)</b>		
a.	Party(ies) bearing burden of proof:	08/05/2022
b.	Counter disclosures:	08/26/2022

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<sup>1</sup> Counsel must still comply with the requirements of Fed. R. Civ. P. 15(a).

**Reports**

- a. Party(ies) bearing burden of proof: 10/10/2022
- b. Counter reports: 11/23/2022

<b>5. OTHER DEADLINES</b>	<b>DATE</b>
a. Last day for expert discovery:	02/28/2023
b. Deadline for filing dispositive or potentially dispositive motions:	04/14/2023
c. Deadline for filing partial or complete motions to exclude expert testimony:	04/14/2023
d. Deadline for filing a request for a scheduling conference with the judge for the purpose of setting a trial date if no dispositive motions are filed:	04/21/2023
<b>6. SETTLEMENT/ALTERNATIVE DISPUTE RESOLUTION</b>	<b>DATE</b>
a. Likely to request referral to a magistrate judge for settlement conference:	Yes
b. Likely to request referral to court-annexed arbitration:	No
c. Likely to request referral to court-annexed mediation:	No
d. The parties will complete private mediation/arbitration by:	03/31/2023
e. Evaluate case for settlement/ADR on:	06/27/2022
f. Settlement probability:	Fair

**7. TRIAL AND PREPARATION FOR TRIAL**

At the time of argument on motions for summary judgment, the court will discuss the scheduling of trial. Counsel should come to the hearing prepared to discuss possible trial dates. If the schedule set forth herein is not extended, the parties can generally expect that trial will be set sometime during the fourth quarter of 2023.

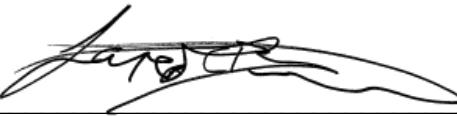
**8. OTHER MATTERS**

Parties should fully brief all Motions in Limine well in advance of the pretrial conference.

IT IS SO ORDERED

DATED April 26, 2022.

BY THE COURT:



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JARED C. BENNETT  
United States Magistrate Judge